

REMARKS

Claims 7-11 are pending in the application. Claims 7-11 are rejected.

Claim 7 has been amended to delete “intramuscularly” and to better identify the affected site by replacing the phrase “at the affected site” with the phrase “to the area affected by said insufficiency of peripheral circulation or peripheral angiostenosis.” Support is found at page 13, line 25 - page 14, line 14 of the specification. Claim 7 has also been amended to indicate that after administration of HGF, the HGF is subsequently expressed and causes angiogenesis, thereby treating the disorder. Support is found at page 10, lines 9-14.

Applicant thanks the Examiner for conducting a telephonic interview on March 28, 2007.

A Statement of Substance of Interview is submitted herewith.

Claim Rejections - 35 U.S.C. § 112, second paragraph

Prior claims 7-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The Examiner states that Claim 7 should recite that after administration of HGF, the HGF is subsequently expressed and causes angiogenesis, thereby treating the disorder. Claims 8-11 are rejected for depending from a rejected base claim without overcoming the lack of clarity in such base claim.

Claim 7 has been amended per the Examiner’s suggestion.

Claim Rejections - 35 U.S.C. § 112, first paragraph - new matter

Prior claims 7-11 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. According to the Examiner, the amendment to claim 7 that administration is into a muscle at the affected site introduces new matter into the claim. The Examiner asserts that the specification does not teach which muscles are at any particular site and the art does not recognize such terminology.

This rejection has been overcome by amending claim 7 to delete that administration is “intramuscularly” and to better identify the affected site by replacing the phrase “at the affected site” with the phrase “to the area affected by said insufficiency of peripheral circulation or peripheral angiostenosis.”

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/615,262

Atty. Docket No.: Q75926

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

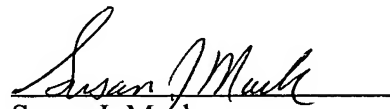
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER


Susan J. Mack
Registration No. 30,951

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